

Message Text

CONFIDENTIAL

PAGE 01 MOSCOW 12931 170119Z

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ACTION EUR-03

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FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC PRIORITY 0000

C O N F I D E N T I A L MOSCOW 12931

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FOR GARRISON FROM MATLOCK

E.O. 11652: GDS

TAGS: OGEN

SUBJ: OFFICIAL-INFORMAL

1. ON CAB SECTION 412 ORDER (STATE 200972, PARA 5) WOULD CERTAINLY HOPE THAT DEPARTMENT CAN SEND LETTER WITHOUT DELAY ALONG LINES YOU SUGGEST. REQUEST TO CAB MIGHT BE BASED, INTER ALIA, ON SOVIET VIOLATION OF 1966 BILATERAL. SINCE THIS IS GOVERNMENT-TO-GOVERNMENT AGREEMENT, USG IS AS MUCH AGGRIEVED PART AS PAN AM, AND DEPARTMENT SHOULD HAVE STANDING IN MATTER IN WAY THAT IT MIGHT NOT IF OTHER COUNTRIES WERE INVOLVED, WHERE BILATERALS PRESUMABLY DO NOT COVER THESE MATTERS.

2. YOU SHOULD BE RECEIVING ABOUT NOW OUR LENGTHY CABLE WITH RECOMMENDATIONS ON KIEV PROPERTIES. (WE WILL DEAL WITH QUESTIONS OF STATUS ADVANCE PARTY SEPARATELY). AS YOU WILL NOTE, WE FEEL AFTER HITTING AGAINST A SOLID SOVIET STONE WALL FOR AT LEAST SIX WEEKS THAT FURTHER NEGOTIATIONS WILL BE FUTILE UNLESS STRONG ACTION CAN BE TAKEN IN NEW YORK (I.E., REMOVAL OF CUSTODIAL PARTY). MY PERSONAL GUESS IS THAT SOVIETS HAVE DONE ENOUGH TO THEIR BUILDING IN NEW YORK THAT THEY DO NOT AT THIS POINT WANT TO RISK OUR HAVING UNRESTRICTED ACCESS. (THEY WILL OF COURSE ASSUME THAT THIS WILL BE THE INEVITABLE CONSEQUENCE OF WITHDRAWING THEIR CUSTODIAL STAFF). SINCE THE POINTS AT ISSUE WHICH REMAIN ARE REALLY VERY SMALL, I CONSIDER IT LIKELY
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PAGE 02 MOSCOW 12931 170119Z

THAT THE PLOY WE SUGGEST WILL WORK, BUT WE MUST OF COURSE BE

PREPARED TO BACK IT UP IF IT DOESN'T. IF WE ARE UNABLE TO BRING
FURTHER SUBSTANTIAL PRESSURE ON THEM IN NEW YORK, IT WOULD BE
BETTER TO GO AHEAD, ACCEPT WHAT THEY HAVE OFFERED, AND PROCEED.
PRECEDENT WOULD BE UNFORTUNATE FOR FUTURE, HOWEVER. WORST
ASPECT OF PACKAGE THEY ARE OFFERING IS BACK ENTRANCE AT
GORKOVO.
STOESSEL

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